

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 249A.4 and 2008 Iowa Acts, Senate File 2425, section 32(13), the Department of Human Services proposes to amend Chapter 78, "Amount, Duration and Scope of Medical and Remedial Services," Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care," and Chapter 83, "Medicaid Waiver Services," Iowa Administrative Code.

These amendments reflect the following changes in Medicaid reimbursement rates enacted in 2008 Iowa Acts, Senate File 2425:

- Rate limits for the following provider categories are increased by 1 percent: advanced registered nurse practitioner, ambulance, ambulatory surgical center, audiologist, birth center, chiropractor, clinic, dentist, durable medical equipment and supply dealer, family planning clinic, hearing aid dispenser, home- and community-based habilitation services, home health agency, lead inspection agency, maternal health center, optician, optometrist, orthopedic shoe dealer, physical therapist, podiatrist, physician, psychologist, remedial services, and screening center.

- Rates for hospital inpatient and outpatient services (other than at critical access hospitals) are increased by 1 percent. The 1 percent increase has been incorporated into the new ambulatory payment classification rates and hospital outpatient fee schedule adopted in **ARC 6889B**, published herein. Funds for hospital reimbursement for direct and indirect medical education and disproportionate share payments are also increased by 1 percent to provide a 1 percent increase in reimbursement.

- The maximum reimbursement rate for inpatient care in a psychiatric medical institution for children is raised to \$167.19 per day. Rates for outpatient day treatment are increased by 1 percent.

- The dispensing fee for drugs is raised to \$4.57.

- Rates for the following home- and community-based waiver services are increased by 1 percent: adult day care, assistive devices, behavioral programming, case management (except for the elderly waiver), chore service, counseling, emergency response system, family and community support, family counseling, financial management, home-delivered meals, home health aide, homemaker, independent support broker, in-home family therapy, interim medical monitoring and treatment, nursing care, nutrition counseling, prevocational services, respite care, senior companion, supported community living, and supported employment. Elderly waiver case management reimbursement is defined in a different section of the Department's appropriations bill and is not included in the 1 percent increase. Consumer-directed attendant care providers have a rate increase of 3 percent. Monthly caps on waiver services are increased by 3 percent to accommodate the increase in provider rates. Annual or lifetime caps on home and vehicle modification and specialized medical equipment are increased by 1 percent.

Some language revisions have been made to clarify current policy for air ambulance services, home health aides, nursing care, home health agencies (including respite care and interim medical monitoring and treatment), and outpatient hospital care.

These amendments do not provide for waivers in specified situations, since a rate increase benefits the providers affected. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 6900B**. The purpose of this Notice is to solicit comment on that submission, the subject matter of which is incorporated by reference.

Any interested person may make written comments on the proposed amendments on or before July 23, 2008. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Analysis and Appeals, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to policyanalysis@dhs.state.ia.us.

These amendments are intended to implement Iowa Code section 249A.4 and 2008 Iowa Acts, Senate File 2425, section 32, subsections 1, 8, and 10.